

REMARKS

Applicants respectfully request reconsideration of the present application based on the foregoing amendments and the following remarks. By this Amendment, claims ___ are amended. Upon entry of this amendment, claims 1-2, 4-6, 9, 11-13, 16-17, 19-21, 24, 26-28, and 31-41 will remain pending in the application.

Claim Rejections Under 35 U.S.C. 103

I. Claims 1-2, 6, 9, 13, 16-17, 21, 24, 28, 31, 34, 37 and 40 stand rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Rosenthal et al. (USP 5,737,701) and further in view of Rowell et al. (WO 97/04602). For the reasons set forth below, Applicants respectfully traverse these rejections.

Amended Independent Claims 1 and 16 Are Not Rendered Obvious By The Combination of Rosenthal and Rowell

The Office Action alleges that Rosenthal teaches access to a resource if the resource is included in a list associated with a subscriber as recited in claims 1 and 16 and that Rowell teaches the use of a system wide list as recited in claims 1 and 16.

Both claims 1 and 16 have been amended to more clearly require the maintenance of two separate resource lists: a list associated with a subscriber and a system-wide list associated with a plurality of subscribers. Moreover, claims 1 and 16 have been amended to further clarify that the system wide list preempts the subscriber list. Specifically, if a requested resource is on the system-wide list, access to the resource is controlled in accordance with that list. Otherwise, the subscriber list is consulted, and a PIN is required if the requested resource is not on that list.

Rowell merely discloses maintaining individual subscriber lists and allows supplementing these lists with public telephone numbers. On page 3, lines 4-6, Rowell states (emphasis added):

"The calling list typically includes the telephone numbers that are regularly called by that cell phone or subscriber. The separate [individual] calling lists may be supplemented by telephone numbers belonging to various public institutions, which numbers may be considered to be on all lists so long as they are not likely to be called on cloned phones."

Thus, Rowell teaches the maintenance of separate individual, subscriber specific call lists that can supplemented with various public telephone numbers and not a separate system wide call list that is consulted regardless of subscriber identity as required by claims 1 and 16. Rowell clearly does not teach the maintenance of a separate list associated with a plurality of users.

Moreover, neither Rosenthal nor Rowell teach or suggest maintaining a separate system wide call list associated with a plurality of users which will preempt whatever is in each individualized call list, as is now more clearly required by claims 1 and 16.

Accordingly the alleged combination of Rosenthal and Rowell do not meet the explicit limitations of claims 1 and 16. For at least these reasons, Applicants respectfully submit that the rejections of claims 1 and 16, together with claims 2, 6 and 31 that depend from claim 1 and claims 17, 21 and 37 that depend from claim 16, should be withdrawn.

Amended Independent Claims 9 and 24 Are Not Rendered Obvious By The Combination of Rosenthal and Rowell

Similar to claims 1 and 16, independent claims 9 and 24 have been amended to more clearly require the maintenance of two separate resource lists: a first list associated with a subscriber and a second list associated with a plurality of subscribers. Moreover, claims 9 and 24 have been amended to further clarify that the second (i.e. system-wide) list preempts the first (i.e. subscriber) list. Specifically, if a requested resource is on the system-wide list, access to the resource is controlled in accordance with that list. Otherwise, the subscriber list is consulted, and a PIN is required if the requested resource is not on that list either.

Therefore, for at least these reasons, Applicants respectfully submit that the rejections of independent claims 9 and 24 should be withdrawn, together with claims 13 and 34 that depend from claim 9, and claims 28 and 40 that depend from claim 24.

Each of claims 2, 6, 13, 17, 21, 28, 31, 34, 37, and 40 ultimately depend from one of claims 1, 9, 16 and 24 and is patentable for at least the foregoing reasons and Applicants therefore request withdrawal of the rejections of claims 2, 6, 13, 17, 21, 28, 31, 34, 37, and 40.

II. Claims 4, 11, 19 and 26 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Rosenthal et al. and Rowell et al., and further in view of Gaukel et al. (USP 5,200,995). For the reasons set forth more fully below, this rejection is respectfully traversed.

Claim 4 ultimately depends from independent claim 1. Claim 11 ultimately depends from independent claim 9. Claim 19 ultimately depends from independent claim 16. Claim 26 ultimately depends from independent claim 24. Because claims 1, 9, 16 and 24 have been shown above to patentably define over Rosenthal and Rowell, and because Gaukel, does not teach or disclose the subject matter missing in Rosenthal and Rowell as discussed above, the alleged combinations of Gaukel with Rosenthal and Rowell would not cure Rosenthal's and Rowell's deficiencies and the claims still patentably define over the alleged combination for at least these reasons.

Moreover, the Office Action alleges that Gaukel teaches an always deny list associated with a plurality of subscribers as recited in claims 4, 11, 19 and 26. Applicants disagree and submit that Gaukel is directed to a single subscriber device and not to the maintenance of a deny list associated with a plurality of subscribers. In column 1, lines 9-15, Gaukel states:

" 'Unauthorized calls' are described herein as any call placed on a subscriber's standard telephone station or stations to any telephone number or access number which the responsible owner of the subscriber's service does not wish unauthorized persons to originate on the owner's subscribed line or telephone station or communications."

Consequently, Gaukel describes a single subscriber device and is directed to unauthorized calls associated with a single subscriber. Thus, Gaukel cannot be said to be directed to a deny list associated with a plurality of subscribers. Therefore, Gaukel does not teach, suggest or render obvious "an always deny list associated with a plurality of subscribers" as required by claims 4, 11, 19 and 26.

Nor is there any motivation discernible in Gaukel to provide an "an always deny list associated with a plurality of subscribers" based on an ability to restrict partial numbers, as alleged in the Office Action. Gaukel is directed to a universal call restriction circuit for use in conjunction with a standard telephone line as a means of inhibiting unauthorized or restricted calls (col. 3, lines 49-54). Gaukel describes its system as universal because it allows the restricted list to contain more than simply entire conventional telephone numbers (col. 4, lines 8-

11; col. 1, lines 15-25). Restricting partial numbers in a given standard telephone voice line provides no reasonable incentive to use a list associated with a plurality of subscribers for controlling access to resources.

Therefore, for least these additional reasons, Applicants respectfully request withdrawal of the rejections of claims 4, 11, 19 and 26.

III. Claims 5, 12, 20, 27, 33, 36, 39 and 42 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Rosenthal et al. and Rowell et al., and further in view of Mijares Jr. et al. (USP 6,330,311). For reasons set forth more fully below, these rejections are respectfully traversed.

Claims 5 and 33 ultimately depend from independent claim 1. Claim 12 and 36 ultimately depend from independent claim 9. Claims 20 and 39 ultimately depend from independent claim 16. Claims 27 and 42 ultimately depend from independent claim 24. Because claims 1, 9, 16 and 24 have been shown above to patentably define over Rosenthal and Rowell and because Mijares does not teach or disclose the subject matter missing in Rosenthal and Rowell as discussed above, the alleged combination of Mijares with Rowell and Rosenthal would not cure Rowell's and Rosenthal's deficiencies and the claims still patentably define over the alleged combination for at least these reasons.

Moreover, the Office Action alleges that Mijares teaches a PIN list for numbers associated with 900 numbers or international calls. The claims of the present application require a subscriber to input a personal identification number if the resource is included in an always require PIN list associated with a plurality of subscribers. Simply stated, the claims require a list identifying resources that always require entry of a PIN before access is granted. Mijares does not disclose, anticipate or otherwise suggest such a list. Instead, Mijares teaches the storage of actual PIN numbers for use in call establishment (col. 2, lines 30-34). Mijares merely states in column 9, lines 39-43 that:

"If the user wants to **temporarily** override 'the block,' he or she inputs a special clearance code (PIN) prior to inputting the destination telephone number."

Thus, Mijares teaches the usage of a PIN for users to temporarily override any blocked or restricted number if and when each individualized user chooses to override and use the PIN. It does not teach the maintenance of a permanent list of resources which will always require a PIN

regardless of whether the individual user chooses to use the PIN or not. In short, Mijares does not teach a requirement for "the subscriber to input a personal identification number if the resource is included in an always require PIN list associated with a plurality of subscribers" as recited in the claims of the present application.

Therefore, for least these additional reasons, Applicants respectfully request withdrawal of the rejections of claims 5, 12, 20, 27, 33, 36, 39 and 42.

IV. Claims 32, 35, 38 and 41 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Rosenthal et al., Rowell et al. and Gaukel et al., and further in view of Rudokas et al. (USP 5,420,910). For reasons set forth more fully below, these rejections are respectfully traversed.

Claim 32 ultimately depends from independent claim 1. Claim 35 ultimately depends from independent claim 9. Claim 38 ultimately depends from independent claim 16. Claims 41 ultimately depends from independent claim 24. Because claims 1, 9, 16 and 24 have been shown above to patentably define over Rosenthal, Rowell, and Gaukel and because Rudokas does not teach or disclose the subject matter missing in Rosenthal, Rowell, and Gaukel as discussed above, the alleged combinations of Rudokas with Rosenthal, Rowell, and Gaukel would not cure Gaukel's, Rosenthal's and Rowell's deficiencies and the claims still patentably define over the alleged combination for at least these reasons.

Moreover, the Office Action alleges that Rudokas teaches a list of fraudulent numbers sufficient to render obvious the recited always deny list comprising of phone numbers associated with fraudulent use. Rudokas, as cited, merely describes the detection of calls placed by cloned cellular telephones. Claims 32, 35, 38 and 41 require receiving a request from a subscriber to access a resource and denying access if the requested resource is included in an always deny list comprising of phone numbers associated with fraudulent use. In view of these differences, Rudokas's list for identifying a fraudulent cell phone cannot reasonably be said to render obvious the inventions of claims 31, 34, 37 and 40.

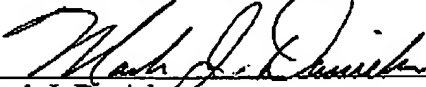
Therefore, for least these additional reasons, Applicants respectfully request withdrawal of the rejections of claims 31, 34, 37 and 40.

Conclusion

All objections and rejections having been addressed, it is believed that the present application is in condition for allowance, and Notice thereof is earnestly solicited. If any issues remain which the Examiner feels may be resolved through a telephone interview, s/he is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,
PILLSBURY WINTHROP LLP

Date: January 18, 2006


Mark J. Danielson
(650) 233-4777
Please reply to customer no. 27,498

40,580

Reg. No.